

ESTTA Tracking number: **ESTTA90297**

Filing date: **07/17/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91171281
Party	Defendant Jarrow Formulas, Inc. Jarrow Formulas, Inc. 1824 South Robertson Blvd. Los Angeles, CA 900354317
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Date	07/17/2006
Attachments	pomamaz-answer.pdf ( 5 pages )(187258 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

POMWONDERFUL, LLC	)	
	)	OPPOSITION NO. 91171281
Opposer,	)	
	)	APPLICATION NO. 78/751,860
v.	)	
	)	MARK: POMAMAZING (Stylized)
JARROW FORMULAS, INC.	)	
	)	
Applicant.	)	JULY 17, 2006

**APPLICANT'S ANSWER TO NOTICE OF OPPOSITION**

Applicant Jarrow Formulas, Inc. ("JFI" or "Applicant"), a corporation of the state of California, having a place of business at 1824 S. Robertson Blvd., Los Angeles, California, 90035, by and through its attorneys answers the Notice of Opposition in connection with the above-referenced matter. With respect to the grounds for the Notice of Opposition, Applicant responds as follows:

**Grounds for Opposition**

1. Applicant admits the allegations of Paragraph 1.
2. Applicant admits the allegations of Paragraph 2.
3. Applicant admits the allegations of Paragraph 3.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Notice of Opposition, and therefore denies those allegations.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 of the Notice of Opposition, and therefore denies those allegations.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 of the Notice of Opposition, and therefore denies those allegations.

7. Applicant admits that its Application for the POMAMAZING (Stylized) mark was filed on November 11, 2005. As to the remaining allegations contained in Paragraph 7 of the Notice of Opposition, Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies those allegations.

8. Applicant admits that its Application for the POMAMAZING (Stylized) mark was filed on November 11, 2005. As to the remaining allegations contained in Paragraph 8 of the Notice of Opposition, Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies those allegations.

9. Applicant admits that its Application for the POMAMAZING (Stylized) mark was filed on November 11, 2005. As to the remaining allegations contained in Paragraph 9 of the Notice of Opposition, Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies those allegations.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 of the Notice of Opposition, and therefore denies those allegations.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 of the Notice of Opposition, and therefore denies those allegations.

12. Applicant denies the allegations of Paragraph 12 of the Notice of Opposition.

13. Applicant denies the allegations of Paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegations of Paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations of Paragraph 15 of the Notice of Opposition.

16. Applicant denies the allegations of Paragraph 16 of the Notice of Opposition.

17. Applicant denies the allegations of Paragraph 17 of the Notice of Opposition.

18. Applicant admits that if it is granted the registration of POMAMAZING (Stylized), it would obtain at least a *prima facie* exclusive right to use the POMAMAZING (Stylized) mark in connection with the goods in Int. Classes 5 and 32 identified in Application

Serial No. 78/751,860. As to the remaining allegations contained in Paragraph 18 of the Notice of Opposition, Applicant denies those allegations.

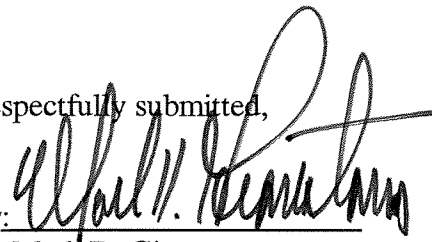
**Affirmative Defense**

There is no likelihood of confusion, mistake or deception between the Applicant's mark and the pleaded marks of Opposer.

Date: July 17, 2006

Respectfully submitted,

By:



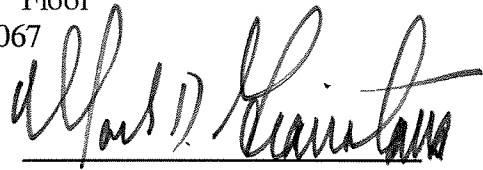
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Attorneys for Applicant  
Jarrow Formulas, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing APPLICANT'S ANSWER TO  
NOTICE OF OPPOSITION was sent via first-class mail, postage prepaid, on this 17th day of  
July, 2006, to:

Rod S. Berman, Esq.  
Christine L. Lofgren, Esq.  
JEFFER, MANGELS, BUTLER & MARMARO LLP  
1900 Avenue of the Stars, 7<sup>th</sup> Floor  
Los Angeles, California 90067

A handwritten signature in black ink, appearing to read "Mark D. Giarratana", written over a horizontal line.

Mark D. Giarratana